

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Minutes/Summary Agenda March 22, 2016 7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:07 pm.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council President Luis Gonzalez
- Council Vice President Cue-Fuente
- Councilman Jose Caragol
- Councilwoman Lourdes Lozano
- Councilman Paul Hernandez

• **Council Members Absent:**

- Councilwoman Vivian Casáls-Muñoz
- Councilwoman Isis-Garcia Martinez

• Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation - **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Council Vice President Cue-Fuente led the Pledge of Allegiance.**

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish.

Presentations –

- The American Cancer Society/Relevo Por La Vida *Hialeah/Hialeah Gardens* and the Committee Members presented an Award of Appreciation to Mayor Hernandez for his support towards this cause.

REPORT: Yanet Viegas spoke on behalf of the American Cancer Society.

REPORT: Mabella Montesinos spoke on behalf of the American Cancer Society.

- Council President Luis Gonzalez presents a Certificate of Appreciation to Scott Miller for his contributions to the children's Christmas toy drive held at Hialeah Park. (COUNCIL PRESIDENT GONZALEZ)

REPORT: Council President Gonzalez recognized Mr. Scott who was not present at the Council meeting.

1. Announcement of Amendments/Corrections to the Agenda –

- a. **The amount of the increase to the purchase order on item F has been corrected from 15,000 to \$25,000.**
- b. **Items K, L, M and N have been added to the agenda.**
- c. **The recommendations from the Police Department pertaining to item N have been placed on the dais for your review.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

Motion to Approve the Consent Agenda made by Council Vice-President Cue-Fuente, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on March 8, 2016. (OFFICE OF THE CITY CLERK) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- B. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the pricing pursuant to Hialeah Bid # 2008/09-8500-36-001-*Elevator Maintenance*, and issue a purchase order to Oracle Elevator Company, for the maintenance and repair of the elevators in the following City buildings – Villa Aida, 29 Units, Neighborhood Service Center, Fire Administration, Police Administration, JFK Library, Walker Park, Hialeah High Parking Garage, and Milander Parking Garage, from October 1, 2015 through September 30, 2016, in a total cumulative amount not to exceed \$18,094.56. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- C. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the pricing pursuant to Hialeah Bid # 2008/09-8500-36-001-*Elevator Maintenance*, and issue a purchase order to Schindler Elevator Corporation, for the maintenance and repair of the elevators in the following City buildings – 18 Unit Elderly Housing Project, Villa Aida Annex, Villa Teresita, Daisy and Rosa Gardens, City Hall Parking Garage, Palm Center Parking Garage, City Hall, Education and Community Services Department and the West E-Library, 9 Unit Elderly Housing, Milander Auditorium, Villa Algeria and Villa Luna, from October 1, 2015 through September 30, 2016, in a total cumulative amount not to exceed \$51,166.32. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- D. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Unique Concrete System Corp., vendor providing the lowest quotation, for the Farmers Market flooring, in a total cumulative amount not to exceed \$19,773. (CONSTRUCTION & MAINTENANCE DEPT. AND DEPT. OF GRANTS & HUMAN SERVICES) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- E. Request permission to issue a purchase order to Taser International, Inc., sole source vendor of the Taser less lethal weapon system, to purchase an additional five hundred thirty (530) taser cartridges in an effort to reduce City liability in police involved shootings and physical confrontations, in a total cumulative amount not to exceed \$2,873.35. (POLICE DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- F. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2016-1069, issued to Palma Paving & Concrete Inc, for the service of adjusting drainage manholes throughout the City, by an additional amount of \$25,000, for a new total cumulative amount not to exceed \$40,000. (STREETS DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martínez absent.**
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest estimate, for

the service of sidewalk restoration at West 12 Avenue to 16 Avenue from West 53 to 56 Street, in a total cumulative amount not to exceed \$64,995.70. (STREETS DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**

- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest estimate, for the service of sidewalk restoration at West 6 Avenue from 29 Street to 32 Street and West 32 Street from 6 to 7 Avenue (adjacent to Filer Middle School), in a total cumulative amount not to exceed \$17,532.90. (STREETS DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**
- I. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has worked for the City in pipe relocation and is familiar with the City's practices and standards, and issue a purchase order to E & M Equipment Corp, to perform the 16 inch offset installation and the 16 inch pipe repairs of West 58 Street and West 4 Avenue, in a total cumulative amount not to exceed \$36,882.69. (DEPT. OF PUBLIC WORKS) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**
- J. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the requirements of the City's Department of Public Works and is one of the few laboratories certified to conduct these types of tests, and increase purchase order # 2016-1139, issued to Florida-Spectrum Environmental Services, Inc., to conduct water quality testing as needed for all of the City's Stage 2 By-Products Rule and the Reverse Osmosis Water Treatment Plant, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$40,000. (DEPT. OF PUBLIC WORKS) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**
- K. Proposed resolution approving the expenditure totaling an amount not to exceed \$32,960.00 from the Law Enforcement Trust Fund – *Federal*, to purchase 320 Streamlight TLR 1 HL Weapon lights for the Hialeah Police Department, from Lou's Police Distributor, Inc., the lowest quote vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2016-29.**
- L. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou's Police Distributors, Inc., vendor providing the lowest quotation, to purchase gun holsters, magazine/handcuff pouch and related accessories for the 350 Glock 9MM firearms purchased by the Hialeah Police Department (approved by the City Council on October 13, 2015), in a total cumulative amount not to exceed \$51,396.88. (POLICE DEPT.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**
- M. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the control system of the City's Department of Public Works, and issue a purchase order to Curry Controls Company, for repairs and/or replacement of Pump Station control panels, programming, panel installations, emergency call-out support and

Scada support, in a total cumulative amount not to exceed \$150,000. (DEPT. OF PUBLIC WORKS) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**

N. Request from Blanco Lorenz Entertainment Branding Inc., for a street closure permit, for the filming of scenes for *Algo Contigo* – Gente de Zona music video, between East 10th Avenue and East 11th Avenue and East 15 Street, subject to the recommendations of the Police Department. (OFFICE OF THE CITY CLERK) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**

3. Second reading and public hearing of proposed ordinance amending Chapter 78 entitled "Solid Waste", Article II entitled "Nuisances" of the Code of Ordinances of the City of Hialeah, and in particular, revising Hialeah Code § 78-38 entitled "Registration of properties with mortgages in default by mortgagee", increasing the annual registration fee and amending the required information for registration; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (CODE COMPLIANCE DIV.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. ORDINANCE NO. 2016-20.**

Item was approved on first reading by the City Council on March 8, 2016.

REPORT: Motion to Approve Item 3 made by Council Vice-President Cue-Fuente, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.

4. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute a services agreement between Community Champions Corporation and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1", to develop, implement and maintain a web-based system application to ensure a more accurate and efficient foreclosure registration process in compliance with Hialeah Code § 78-38, for a term of one year commencing on April 1, 2016 and ending on March 31, 2017, with an option to renew for three consecutive one-year terms; providing for an effective date. (CODE COMPLIANCE DIV.) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2016-30.**

REPORT: Motion to Approve Item 4 made by Council Vice-President Cue-Fuente, and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.

5. Proposed resolution waiving competitive bidding and authorizing the Mayor or the Public Works Director, as the Mayor's designee, to negotiate a contract with Progressive Waste Solutions of FL., Inc. for the collection of recyclable materials and disposal of residential solid waste on the most advantageous terms and conditions providing the best value to the City, subject to the approval of the contract by the City Council. (DEPT. OF PUBLIC WORKS) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2016-31.**

REPORT: Roxana Greene, 7835 West 18 Lane, addressed the Mayor and Council regarding this item.

REPORT: Motion to Approve Item 5 made by Council Vice President Cue-Fuente, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.

6. Board Appointments – **None**

7. Unfinished Business – **None**

8. New Business – **None**

9. Comments and Questions – **None**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

ZONING

- PZ 1.** First reading of proposed ordinance granting a Variance Permit to allow a duplex with a total floor area of 1,380 square feet, where a minimum of 1,500 square feet are required, contra to Hialeah Code § 98-548. **Property located at 310 East 17 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *(Applicant/Owner of the property: Angel Alberto Fiallo)* **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.**

<i>Item was approved by the Planning and Zoning Board on March 9, 2016.</i>
<i>Planner's Recommendation: Approval with Conditions</i>

REPORT: Angel Alberto Fiallo, applicant, 310 East 17 Street, addressed the Council on this item.

REPORT: Deborah Storch, Planning & Zoning Director, addressed the Council on this item.

REPORT: Motion to Approve Item PZ 1 made by Council Vice President Cue-Fuente, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. Second reading is scheduled for April 12, 2016.

FINAL DECISIONS

- FD 1.** Appeal of the Planning and Zoning Board's decision, Decision No. 16-04, denying the adjustment requested on property located at **2651 West 72 Street, Hialeah, Florida**; and providing for an effective date. (*Applicants: Manuel A. Marin & Nereida G. Marin*) **APPROVED 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent. RESOLUTION NO. 2016-32.**

<i>Item was denied by the Planning and Zoning Board on February 24, 2016.</i>
<i>Planner's Recommendation: Denial</i>

REPORT: Manuel Marin, applicant, 2651 West 72 Street, addressed the Council on this item.

REPORT: Motion to Override the Denial of the Planning and Zoning Board and approve the adjustment made by Councilman Caragol, and seconded by Councilwoman Lozano. Motion passed 5-0-2 with Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.

REPORT: Council President Gonzalez adjourned the meeting at 7:54 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, April 12, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 24, 2016 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).